Remarks

Applicants respectfully request reconsideration of this application as amended. Claims 12-14 have been amended. No claims have been cancelled. Therefore, claims 1-16 are presented for examination.

Claims 1-7 and 10-11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Durham et al. (U.S. Patent No. 6,000,036). Applicants submit that the present claims are patentable over Durham.

Durham discloses a circuit for distributing an instruction to one of a plurality of functional circuits each positioned within different areas of an integrated circuit. The circuit includes a first functional circuit positioned within a first area of the integrated circuit and a second functional circuit positioned within a second area of the integrated circuit. The circuit also includes a first circuit for measuring or estimating power dissipation within the first area of the integrated circuit and generating a first signal relating to the measured or estimated power dissipation within the first area. A second circuit is provided for measuring or estimating power dissipation within the second area of the integrated circuit and generating a second signal relating to the measured or estimated power dissipation within the second area. The first signal and the second signal are processed and the instruction is routed to the first functional circuit for performance of an operation when the power dissipation in the second area exceeds a predetermined amount or to the second functional circuit when the power dissipation in the first area exceeds a predetermined amount. See Durham at co. 2, ll. 14-31.

Claim 1 of the present application recites operating a computer system at a first central processing unit (CPU), receiving a first signal generated by a thermal sensor within the first CPU and resuming operation of the computer system at a second CPU. Applicants submit that Durham does not disclose such a limitation. Durham instead discloses processing instructions at a first functional unit at a first area of an integrated circuit. The processing continues at the first functional unit until power dissipation in the first area exceeds a

predetermined amount. Upon power dissipation in the first area exceeding a predetermined amount, processing of the instructions is transferred to a second functional unit at a second area within the same integrated circuit. Durham, in essence, <u>describes one integrated circuit (e.g., CPU) with processing transferred between functional units within the same integrated circuit</u>. Thus, there is no second CPU in Durham that operates when a first CPU reaches a predetermined threshold. As a result, claim 1 is patentable over Durham since Durham does not disclose resuming operation of a computer system at a second CPU.

Claims 2-11 depend from claim 1 and include additional features. Therefore, claims 2-11 are also patentable over Durham.

Claim 12 recites a second CPU coupled to a heat pipe, wherein a first CPU is active until reaching a predetermined power threshold and the second CPU becomes active upon the first CPU reaching the predetermined power threshold. Thus, for the reasons described above with respect to claim 1, claim 12 is also patentable over Durham. Since claims 13-16 depend from claim 12 and include additional features, claims 13-16 are also patentable over Durham.

Claims 8, 9 and 12-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Durham in view of Applicants' Specification. Applicants submit that the present claims are patentable over Durham even in view of the Specification.

Applicants' Specification discloses a cooling system having two or more CPUs mounted on a heat pipe. Nevertheless, the Specification does not disclose or suggest a first CPU being active until reaching a predetermined power threshold and a second CPU becoming active upon the first CPU reaching the predetermined power threshold.

As discussed above, Durham does not disclose or suggest a first CPU being active until reaching a predetermined power threshold and a second CPU becoming active upon the first CPU reaching the predetermined power threshold. Since neither Durham nor Applicants' Specification disclose or suggest a first CPU being active until reaching a predetermined power threshold and a second CPU becoming active upon the first CPU

reaching the predetermined power threshold, any combination of Durham and the Specification would also not disclose or suggest such a limitation. Accordingly, the present claims are patentable over Durham even in view of the Specification

Applicants respectfully submit that the rejections have been overcome, and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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